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HEWLETT-PACKARD COMPANY
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PATENT APPLICATION

ATTORNEY DOCKET NO. 10003655-1

IN THE
UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Dan Matheson

Application No.: 09/680,604

Filing Date: October 6, 2000

Confirmation No.: 9577

Examiner: Z. E. Cabrera

Group Art Unit: 2125

Title: OBJECT MODEL FOR DECISION AND ISSUE TRACKING

Mail Stop Appeal Brief - Patents
Commissioner For Patents
PO Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL OF REPLY BRIEF

Transmitted herewith is the Reply Brief with respect to the Examiner's Answer mailed on May 18, 2006 .

This Reply Brief is being filed pursuant to 37 CFR 1.193(b) within two months of the date of the Examiner's Answer.

(Note: Extensions of time are not allowed under 37 CFR 1.136(a))

(Note: Failure to file a Reply Brief will result in dismissal of the Appeal as to the claims made subject to an expressly stated new ground rejection.)

No fee is required for filing of this Reply Brief.

If any fees are required please charge Deposit Account 08-2025.

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as Express Mail, Airbill No. EV568242105US, in an envelope addressed to: MS Appeal Brief - Patents, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date of Deposit: Jul y 7, 2006

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Respectfully submitted,

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Docket No.: 10003655-1
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Dan Matheson

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For: OBJECT MODEL FOR DECISION AND ISSUE TRACKING | Examiner: Z. E. Cabrera

REPLY BRIEF

MS Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

As required under 37 C.F.R. § 41.41(a)(1), this Reply Brief is filed within two months of the Examiner's Answer dated May 18, 2006 (hereinafter the "Answer"), and is in furtherance of the Appeal Brief filed on March 24, 2006.

No fee is required for this REPLY BRIEF.

This brief contains items under the following headings as required by 37 C.F.R. § 41.37 and M.P.E.P. § 1206:

I. Status of Claims
II. Grounds of Rejection to be Reviewed on Appeal
III. Argument
IV. Conclusion

I. STATUS OF CLAIMS

A. Total Number of Claims in Application

There are 17 claims pending in application, numbered 1-6, 8-13, and 15-19.

B. Current Status of Claims

1. Claims canceled: 7, 14, 20

2. Claims withdrawn from consideration but not canceled: None

3. Claims pending: 1-6, 8-13, 15-19

4. Claims allowed: None

5. Claims rejected: 1-6, 8-13, 15-19

C. Claims On Appeal

The claims on appeal are claims 1-6, 8-13, 15-19

II. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

A. Claims 1, 8, and 15 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,822,206 to Sebastian et al (hereinafter "Sebastian").

B. Claims 2, 4-6, 9, 11-13, 16, and 18-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sebastian in view of U.S. Patent No. 6,295,513 to Thackston (hereinafter "Thackston").

C. Claims 3, 10, and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sebastian in view of Thackston and further in view of U.S. Patent Application Publication No. 2002/0012007 A1 to Twigg (hereinafter "Twigg").

III. ARGUMENT

Appellant respectfully traverses the outstanding rejections of the pending claims, and requests that the Board reverse the outstanding rejections in light of the remarks contained herein.

A. Rejections under 35 U.S.C. § 102(b) over Sebastian

Claims 1, 8, and 15 are rejected under 35 U.S.C. 102(b) as being anticipated by Sebastian.

It is well settled that to anticipate a claim, the reference must teach every element of the claim. *see* M.P.E.P. § 2131. Moreover, in order for a prior art reference to be anticipatory under 35 U.S.C. § 102 with respect to a claim, "[t]he elements must be arranged as required by the claim." *See* M.P.E.P. § 2131; *citing In re Bond*, 15 U.S.P.Q.2d 1566 (Fed. Cir. 1990). Furthermore, in order for a prior art reference to be anticipatory under 35 U.S.C. § 102, "[t]he identical invention must be shown in as complete detail as is contained in the . . . claim." *See* M.P.E.P. § 2131; *citing Richardson v. Suzuki Motor Co.*, 9 U.S.P.Q.2d 1913 (Fed. Cir. 1989).

Claims 1, 8, and 15

Claim 1 recites a computer system comprising a question software interface for capturing a question in a question object, an answer software interface for capturing an answer in an answer object that is linked to the selected question object, and a decision software interface for capturing a decision in a decision object that is linked to the selected question object. Claim 8 recites a method for capturing decision-related data comprising capturing a question in a question object, capturing an answer in an answer object that is linked to the selected question object, and capturing a decision in a decision object that is linked to the selected question object. Claim 15 recites a computer readable storage medium tangibly embodying program instructions implementing a method comprising capturing a question in a question object, capturing an answer in an answer object that is linked to the selected question object, and capturing a decision in a decision object that is linked to the selected question object. As Appellant best understands, the Examiner points to Sebastian, at col. 5 line 59- col. 6 line 24, to satisfy "an answer object that is linked to a selected question." *See* Answer, pg. 7. In doing so, the Examiner opines "the answer corresponds to the list of material in response to a knowledge-contained question such as 'what kind of part is it' or 'where will the part perform.'" *Id.* Appellant respectfully points out that merely because

Sebastian's module uses knowledge contained in the nature of an application does not mean that there is an answer (or question) object. That is, Examiner has mischaracterized knowledge inherent within Sebastian's module as a "knowledge-contained question." *Id.* As Appellant has previously pointed out, Sebastian merely describes a material selector module whose output includes "a list of material properties and associated threshold values for a part...." *See* Sebastian at col. 15, lines 32-35. Sebastian further describes a template linked to a selected question object. *See id.* at col. 11, line 35-col. 12, line 46. However, the feature template of Sebastian does not comprise an answer object that is linked to a selected question object. Appellant respectfully submits that Sebastian's output is not an answer. This follows from the fact that, in Sebastian, no question is being asked. As such, Sebastian does not teach an answer object that is linked to the selected question object.

The Examiner further notes that Sebastian, at col. 6 lines 25-27, discloses database queries. *See* Answer at pg. 7. As Appellant best understands, the Examiner equates such queries with "a question in a question object." *Id.* Even if Examiner is correct, which Appellant does not concede as true, Sebastian's database queries do not teach a question software interface for capturing a question. Moreover, Sebastian's database queries are not linked to an answer in an answer object or a decision in a decision object.

Also, Sebastian does not teach a decision object that is linked to a selected question object. In the Answer, the Examiner points to Sebastian, at col. 6 lines 40-44, to satisfy this limitation. *See* Answer, pg. 8. At the Examiner's citation, Sebastian merely describes evaluating economics of a project design into account to determined decision and constraints before detailed designs are made. *See* Sebastian, col. 6 lines 40-43. Appellant respectfully submits that evaluating economics of product design before making detailed designs does not constitute a decision object linked to a question object. Sebastian further teaches that the material selector module "can provide its output in the template notation of the present invention." *See* Sebastian at col. 15, lines 35-37. However, the feature template of Sebastian does not comprise a decision object that is linked to a selected question object. Accordingly, Sebastian does not teach at least the limitation of an answer object that is linked to a selected question object and a decision object that is linked to a selected question object. Thus, Sebastian does not anticipate the claims. As such, Appellant respectfully requests that his rejection be overturned.

B. Rejection under 35 U.S.C. 103(a) over Sebastian in view of Thackston

Claims 2, 4-6, 9, 11-13, 16, and 18-19 are rejected under 35 U.S.C. § 103(a) as obvious over Sebastian in view of Thackston.

To establish a prima facie case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art cited must teach or suggest all the claim limitations. *See* M.P.E.P. § 2143. Without admitting that the first or second criteria is satisfied, Appellant respectfully asserts that the Examiner's rejection fails to satisfy the third criteria.

Each of claims 2, 4-6, 9, 11-13, 16, and 18-19 depend directly or indirectly from claims 1, 8, or 15, and comprise all limitations of the base claim from which it depends. As shown above in relation to the rejection under 35 U.S.C. § 102(b), Sebastian does not teach all limitations of claims 1, 8, and 15. Accordingly, Sebastian does not teach or suggest all limitations of claims 2, 4-6, 9, 11-13, 16, and 18-19. Thackston does not cure the deficiencies of Sebastian with respect to claims 1, 8, and 15. Thackston is merely relied upon for disclosing "data neutrality" in a "virtual collaborative environment." *See* Thackston at col. 5, lines 47-51. Accordingly, Sebastian in view of Thackston does not teach or suggest all limitations of claims 1, 8, and 15. Thus, claims 2, 4-6, 9, 11-13, 16, and 18-19 are not obvious over the cited references based on at least their respective dependencies from claims 1, 8, and 15. Additionally, the claims enumerated below are patentable for other reasons set forth herein.

Claims 2, 9, and 16

Claim 2 recites "each of said question object, said answer object, and said decision object is stored in a tool-neutral persistent form." Claims 9 and 16 recite "storing each of said question object, said answer object, and said decision object in a tool-neutral persistent form." In the Answer, the Examiner points to Thackston, at col. 5 lines 47-51 and to Thackston's Global Manufacturer's Registry (GMR), to satisfy these limitations. *See* Answer at pg. 9. In doing so, the Examiner opines Thackston's GMR "provides data neutrality for users by supporting the upload and conversion of part design models from various format types into a standard neutral format..." *Id.* However, at the Examiner's citation Thackston

describes data neutrality supporting the upload and conversion of design modes from various formats into a single standard format. Appellant respectfully submits that data neutrality does not constitute storing objects in a tool-neutral persistent form as recited in the claims. Thackston merely sets forth to avoid precluding a designer from using the GMR based on a particular design model format the designer uses. *See* Thackston at col. 5 lines 51-54. However, there is no mention of storing anything. Also, the data to which Thackston refers is not a question object, answer object or a decision object. Therefore, the Examiner's suggested combination fails to teach or suggest every limitation of the claims. Appellant requests that the Board overturn the rejection of record.

Claims 4, 11, and 18

Claim 4 recites "said question software interface captures an association of said question object with a decision object." Claims 11 and 18 recite "capturing an association of said question object with a decision object." In the Answer the Examiner points to Thackston, at Figs. 19A & 19B, to satisfy these limitations. *See* Answer at pgs. 9-10. In doing so, the Examiner equates "Team Member Interaction" (Fig. 19, 1926) to a question interface or question object. Numeral 1926 of Fig. 19B does not depict a question interface. Rather, numeral 1926 merely refers to team member interaction; no question object is present. Further, in addressing the Examiner's previous rejection, numeral 4320 of Fig. 23 does not capture an association of said question object with a decision object; no decision object is present. Therefore, the Examiner's suggested combination fails to teach or suggest each limitation of the claims. Appellant requests that the Board overturn the rejection of record.

C. Rejections under 35 U.S.C. 103(a) over Sebastian in view of Thackston in further view of Twigg

Claims 3, 10, and 17 were rejected under 35 U.S.C. § 103(a) as obvious over Sebastian in view of Thackston, further in view of Twigg. Each of claims 3, 10, and 17 depend directly or indirectly from claims 1, 8, or 15, and comprises all limitations of the base claim from which it depends. As shown above in relation to the rejection under 35 U.S.C. § 102(b), Sebastian does not teach all limitations of claims 1, 8, and 15. Accordingly, Sebastian does not teach or suggest all limitations of claims 3, 10, and 17. Neither Thackston

nor Twigg cure the above-identified deficiencies of Sebastian with respect to claims 1, 8, and 15. Thackston is merely relied upon for disclosing "data neutrality" in a "virtual collaborative environment." *See* Thackston at col. 5, lines 47-51. Twigg is merely relied upon for disclosing multiple databases for design files. *See* Twigg at paragraph 0038. Accordingly, Sebastian in view of Thackston further in view of Twigg do not teach or suggest all limitations of claims 1, 8, and 15 and thus claims 3, 10, and 17 are not obvious over the cited references at least for the reasons set forth above. In addition, claims 3, 10, and 17 are patentable for other reasons set forth herein.

Claims 3, 10, and 17

Claims 3, 10, and 17 recite "each of said question object, said answer object, and said decision object is stored in a separate relational database, wherein associations between each of said question object, said answer object, and said decision object are captured using foreign keys." In the Answer, the Examiner points to Thackston, at col. 6 lines 50-53, to satisfy "the use of separate relational databases." *See* Answer at pg. 10. The Examiner further relies upon Twigg, at paragraph [0038], among other citations, to satisfy this limitation. With reference to the Examiner's citation, Twigg merely describes design file 22 contained within database 20. Appellant respectfully submits that the Class #, Description, Note, Cost are not foreign keys as the Examiner contends. Rather, these items are fields inherent within a design file. Therefore, the Examiner's suggested combination fails to teach or suggest each element of claims 3, 10, and 17. Appellant requests that the Board overturn the rejection of record.

IV. CONCLUSION

In view of the remarks above, Appellant respectfully submit that the pending claims are in condition for allowance. As such, Appellant requests that the rejections of record be reversed.

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Respectfully submitted,

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